

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

VANTAGE FINANCIAL SERVICES, INC.,

Plaintiff,

Index No. 04-11686 (WGY)

-against-

NON-PROFIT SERVICE GROUP, INC. AND
GEORGE E. MILLER,

Defendants.

X

**MOTION TO VACATE ORDER OF DISMISSAL AND
TO ENTER JUDGMENT IN THE AMOUNT OF \$250,000**

Pursuant to Fed. R. Civ. P. 60(b)(6), plaintiff Vantage Financial Services, Inc. (“Vantage”) moves this honorable Court to vacate an order of dismissal entered on or about January 30, 2006 (the “Order of Dismissal”), and to enter judgment against defendants Non-Profit Service Group, Inc. and George E. Miller (collectively, “Defendants”) in the amount of \$250,000 plus interest going forward and the legal fees associated with making this motion, on the grounds that the parties agreed in their settlement agreement (the “Settlement Agreement”) that if Defendants did not make payment of \$250,000 within one year from the date of the Settlement Agreement, Vantage could apply to the Court for the relief sought herein. Defendants have failed to make any payments whatsoever as set forth in the Settlement Agreement that terminated this litigation and have not assented to the relief sought herein.

REQUEST FOR ORAL ARGUMENT

Pursuant to Local Rule D. Mass 7.1(D), Vantage respectfully requests oral argument on this motion, because Vantage believes that oral argument may assist the Court in making its determination on this motion.

LOCAL RULE 7.1 CERTIFICATION

Pursuant to L.R. D.Mass. 7.1, counsel for Vantage met and conferred in good faith with counsel for Defendants in advance of making this motion on March 21, 2007, but the parties were unable to narrow or resolve the issues presented herein.

Dated: March 21, 2007

Respectfully submitted,

VANTAGE FINANCIAL SERVICES, INC.,

By its attorneys,

/s/ Joseph J. Koltun

William F. Macauley (BBO# 310060)

Joseph J. Koltun (BBO #641117)

CRAIG AND MACAULEY

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CERTIFICATE OF SERVICE

I hereby certify that on this day I caused a true and accurate copy of the foregoing *Motion to Vacate Order of Dismissal and to Enter Judgment in the Amount of \$250,000*, to be served electronically and by first-class United States mail postage prepaid on March 21, 2007 to the following address:

Matthew J. Griffin, Esq.
Richard L. Nahigian
Peabody & Arnold LLP
30 Rowes Wharf
Boston, MA 02110

/s/ Joseph J. Koltun
Joseph J. Koltun (BBO #641117)